

REMARKS/ARGUMENTS

By the foregoing amendment, claim 1 has been amended to clarify the claimed invention, claim 27 has been amended to correct a typographical error and new claims 54-57 have been added. No new matter has been added. A Request for Continuing Examination (RCE) is filed herewith. Reconsideration is respectfully requested.

As amended, independent claim 1 specifically recites the inclusion of at least one support member formed on the distal portion of the inner tube. Additionally, as amended, claim 1 requires a distal portion of the energy emitting member to be supported by that support member in a position whereby tissue cutting or ablating energy will emit from the from the energy emitting member toward the first side of the protector. New dependent claims 54-57 recite specific embodiments of the support member. An example of one embodiment of the claimed support member is seen in Figures 2-3G. An example of another embodiment of the claimed support member is seen in Figures 5A and 5B.

The prior art Baerveldt et al. and Eichenbaum references do not teach or suggest the claimed support member.

Conclusion

For at least the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and issuance of a notice of allowance is earnestly solicited. The Commissioner is authorized to deduct all fees due in connection with the filing of this amendment and the accompanying RCE from Deposit Account No. 50-0878. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, the Examiner is encouraged to call Applicant's undersigned counsel.

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Respectfully submitted,

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